

REMARKS

Claims 1-30 are pending in this application. By this Amendment, claim 1 is amended and claim 30 is added.

Applicants respectfully request that the Information Disclosure Statement filed February 27 be initialed and returned.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Drawings Satisfy All Formal Requirements

The Office Action objects to the drawings. This objection is respectfully traversed.

Specifically, the Office Action asserts that the feature of a center position of the opening area formed in one of the substrates and the second substrate being offset toward the clear viewing direction is not shown in the Figures. This objection is respectfully traversed.

However, Fig. 6 clearly shows this feature.

II. Claims Satisfied Requirements of 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 28 under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

Specifically, the Office Action asserts that the recited feature of the center position of the opening area formed in one of the first substrate and the second substrate being offset

toward the clear viewing direction is indefinite due to the unclear language. However, as shown in the specification at e.g., page 26, lines 8-11 a center position of a second opening area formed on the side of the counter substrate is offset toward the clear viewing direction with respect to a center position of the first opening area formed on the side of the active matrix substrate. This feature is clearly recited in claim 28.

III. Claims Define Patentable Subject Matter

The Office Action rejects claims 1-20 under 35 U.S.C. §103(a) over U.S. Patent No. 5,844,644 over Oh et al. ("Oh") in view of U.S. Patent No. 5,561,538 to Kato et al. ("Kato"). This rejection is respectfully traversed.

Neither Oh nor Kato disclose a first alignment layer formed between the liquid crystal and the first substrate and a second alignment layer formed between the liquid crystal and the second substrate, the first and second alignment layers aligning the liquid crystal such that there is a clear viewing direction through the liquid crystal, as recited in independent claim 1.

In the invention of claim 1, the clear viewing direction is formed by the first and second alignment layers aligning the liquid crystal and not by untransmissive portions of a substrate as in Oh or by controlling the orienting condition of the liquid crystal molecules as in Kato. See e.g., col. 3, lines 33-45 of Oh and e.g., col. 8, lines 53-60 of Kato.

The Office Action rejects claim 21 under 35 U.S.C. §103(a) over Oh and Kato and further in view of U.S. Patent No. 6,437,764 to Suzuki et al. ("Suzuki") and claims 22-27 under 35 U.S.C. §103(a) over Oh and Kato and further in view of U.S. Patent No. 6,193,376 to Hayashi et al. ("Hayashi"). Neither Suzuki nor Hayashi provide the deficiencies of Oh and Kato as discussed above. Thus, claims 21-27, which depend from claim 1, also define patentable subject matter.

The Office Action rejects claims 28-29 under 35 U.S.C. §103(a) over Kato in view of U.S. Patent No. 6,195,143 to Ogawa. This rejection is respectfully traversed.

Ogawa has a filing date of June 14, 1999. This application has a priority date of November 30, 1998 through JP10-339606 and February 26, 1999 through JP11-050675. Thus, Ogawa is not available as prior art.

Furthermore, because this rejection is improper, withdrawal of the finality of the April 18, 2003 Office Action is respectfully requested.

With respect to claim 30, none of the cited art provide the features of claims 30. Thus, claim 30 is in condition for allowance.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Michael Britton
Registration No. 47,260

JAO:MB/gew

Attachment:
Amendment Transmittal

Date: July 18, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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